

# **NASA Interim Directive 9700.103: Supplemental Premium Travel Procedural Requirements**

Responsible Office: Office of the Chief Financial Office

## **1. Preface**

**1.1 Purpose.** The Federal Travel Regulations (FTR) require agencies to establish policies and procedures governing the approval of additional travel expenses to accommodate an employee's needs. *See* 41 C.F.R. §301-70.400. This FTR requirement includes promulgating authorizations for transportation accommodations for coach-class upgrades (e.g., coach-plus) or other than coach class (i.e., first class and business class, "premium travel") due to disability or special needs. *See* 41 C.F.R. §301-10.123-124 and 301-70.400-401. The FTR also requires agency policy to set forth specific criteria when justifying premium travel on the basis of "mission criteria." *See* FTR §301-70.102(i). This NASA Interim Directive (NID) sets forth requirements for both of these, and supplements NASA's current travel policy, [NPR 9700.1](#), Travel (Chapter 1 only), and the NASA Travel Regulations Supplement (NFTRS) set forth in [NID 9700.2](#).

## **1.2 Other Applicable Documents:**

P.L. 113-235, Consolidated and Further Continuing Appropriations Act, 2015.

NASA Procedural Requirements (NPR) 3713.1B, Reasonable Accommodations Procedures.

JSC Memorandum CB-10-058, "Exceptions to Federal Travel Regulations Regarding Business Class Travel for Astronauts Training for Long-Duration Flights," September 7, 2010.

JSC Memorandum CB-10-051, "Postflight Medical Restrictions for Crewmember Travel," September 8, 2010.

## **2. Authorizing Additional Travel Expenses based on Disabilities or Special Needs.**

2.1. NASA employees may request coach class upgrades or other than coach class only as set forth in this directive.

a. Certification. All requests for coach class upgrades or other than coach class require certification, and shall follow the procedures where medical documentation is necessary in accordance with NPR 3713.1B. In accordance with the FTR, a certification shall:

- (1) Be a written statement by a competent medical authority stating that special accommodation is necessary.
- (2) Include an approximate duration the special accommodation is necessary.
- (3) Based on the disability or special need, include a recommendation as to the nature of the special accommodation and suitable class of transportation accommodations.

Where the Agency determines the need for travel but without sufficient time for the traveler to obtain the certification on their own, and an interim or temporary accommodation is indicated, a NASA physician may provide both the required certification and recommendation.

b. NASA Physician Recommendation. The FTR requires a determination on the least expensive class that meets the traveler's needs, based on review by a competent medical authority. As part of the NASA physician's review under NPR 3713.1B for requests relating to travel, they shall provide a medical recommendation including:

- (1) A written certification that meets the requirements of Section 2.1.a. above and, in conjunction with any other available medical documentation, provides sufficient support for the finding of a disability or special need that does not rise to the level of a disability.
- (2) The duration of the accommodation, which may not exceed one year unless the disability or special need is a lifelong condition.<sup>1</sup>

c. Supervisor Approval. Supervisors shall follow the procedures of NPR 3713.1B in determining whether to grant or deny an accommodation, supported by the Physician's recommendation. The Supervisor's approval shall include a determination of the least expensive class that will accommodate the needs together with any special requirements (e.g., double seating in coach class) necessary for the special accommodation. (Note that class alternatives typically include, in order from least to most expensive: (1) coach class; (2) coach class upgrade (e.g., coach plus); (3) business class; or (4) first class. Supervisors shall not grant an accommodation for travel that exceeds the least expensive class alternative or beyond the duration determined by the NASA Physician. In no circumstance may supervisors approve an accommodation for other than coach class (i.e., premium) travel unless supported by the NASA Physician Recommendation in accordance with section 2.1.b above.

d. The requirement of NID 9700.2 §301-10.123, for additional approvals for reasonable accommodations by your Center's Human Resources office is no longer applicable. Instead reasonable accommodation requirements are found in NPR 3713.1B, as supplemented by this NID for travel. In addition, the requirement for travel authorization by a Center Director or higher level is not required for accommodations duly approved pursuant to this NID.

## 2.2. Notifications and Preparing Travel Authorizations.

a. An e-mail notice that an accommodation has been granted for other than coach (premium) travel shall be provided by the Supervisor granting the accommodation to the traveler, copying the Center's Travel point-of-contact (POC) (i.e., the lead person designated at the Center for approving premium travel requests after supervisory approval of a travel order) and the Center Disability Program Manager. The e-mail notice shall contain the following statement: "An accommodation for traveler [name] has been granted by me, for [type—coach upgrade, business,

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<sup>1</sup> A disability or special need must be certified annually. However, if the disability or special need is a lifelong condition, then a one-term certification is sufficient

first] class travel, for [length—x month, or permanent] duration.” This specific notice **shall not** include information regarding the specific medical condition requiring the upgrade. However, such medical documentation must be maintained in accordance with the provisions of NPR 3713.1B and kept separately from the traveler’s authorization and not in the CGE system.

b. Travel Authorization. When preparing a travel authorization that requests premium class or coach class upgrade based on an approved accommodation, a brief explanation supporting the selected class of travel shall be entered in the applicable comments field, to the effect, “[Type—coach upgrade, business, first] class travel has been approved; see email from [Supervisor’s name] dated [e-mail date].”

c. It is important that the supervisor ensure the accuracy of and adherence to the notice under subsection (a) above, and ensure the traveler only submit travel authorizations within the period and no greater than the class approved, as unauthorized premium travel is prohibited by law. *See* P.L. 113-235, Div. B, Title V, Sec. 525.

d. A traveler may travel using a lesser class than the approved accommodation without additional justification (e.g., for reasons of availability, personal preference, or other); but is not authorized to travel using a higher class absent other appropriate justification under FTR §301-10.123.

### **3. “Mission Criteria” for Business Class travel.**

3.1. The only agency “mission criteria” currently approved for premium travel, further to FTR §301-70.102(i), are those criteria set forth in JSC Memoranda CB-10-051 for postflight medical restrictions for astronaut crewmember travel and CB-10-058 for astronauts training for long-duration flights. No other premium travel based on “mission criteria” shall be approved without first obtaining an approved waiver request from the OCFO, Director for Policy.

**Appendix A**  
**Excerpts from Select Laws, Rules and Policies on Premium Travel**

**P.L. 113-235, Div. B, Title V:**

Sec. 525. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of Sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

**NASA NID 9700.2:**

**§ 301-10.123 When may I use “other than coach” class airline accommodations?**

Only when NASA specifically authorizes these accommodations identified in FTR §301-10.123 and 125. Authorization for other than coach class accommodations shall be at the Center Director and higher level or designee.

When other than coach class accommodation is authorized, FTR §301-13.2(b) requires the condition be substantiated in writing by a medical authority. This is not intended to be an open-ended approval for other than coach class travel. The condition should be substantiated on a regular basis at least annually. Additional approval must be provided for reasonable accommodations by your Center’s Human Resources office.

**Federal Travel Regulations, 41 C.F.R.:**

**§301-10.121 What classes of airline accommodations are available?**

Airlines are constantly updating their offerings. However, for the purposes of this regulation, the classes of available air accommodations are identified and defined as follows:

- (a) Coach-class. The basic class of accommodation by airlines that is normally the lowest fare offered regardless of airline terminology used. For reference purposes only, coach-class may also be referred to by airlines as “tourist class,” “economy class,” or as “single class” when the airline offers only one class of accommodations to all travelers.
- (b) Other than coach-class. Any class of accommodations above coach-class, e.g., first-class or business-class.
  - (1) First-class. The highest class of accommodation offered by the airlines in terms of cost and amenities. This is generally termed “first-class” by airlines and reservation systems.
  - (2) Business-class. A class of accommodation offered by airlines that is higher than coach and lower than first-class, in both cost and amenities. This class of accommodation is generally referred to as “business, business elite, business first, world business, connoisseur, or envoy” depending on the airline.

Note to §301-10.121: If an airline flight has only two classes of accommodations available, i.e., two “cabins,” with two distinctly different seating types (such as girth and pitch) and the front cabin is termed “business-class” or higher by the airline and the tickets are fare-coded as business-class, then the front of the cabin is deemed to be other than coach-class. Alternatively, if an airline flight has only two cabins available but equips both with one type of seating, (i.e., seating girth and pitch are the same in both cabins), and the seats in the front of the airplane are fare coded as full-fare economy class, and only restricted economy fares are available in the back of the aircraft, then the entire aircraft is to be classified as coach-class seating. In this second situation, qualifying for other than coach-class travel is not required to purchase a non-restricted economy fare seat in the front of the aircraft as the entire aircraft is considered “coach-class.”

### **§301-10.122 What class of airline accommodations must I use?**

For official business travel, both domestic and international, you must use coach-class accommodations, except as provided under §§301-10.123 and 301-10.124.

### **§301-10.123 When may I use other than coach-class airline accommodations?**

Government travelers are required to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business when making official travel arrangements, and therefore, should consider the least expensive class of travel that meets their needs. You may use the lowest other than coach-class airline accommodations only when your agency specifically authorizes/approves such use as specified in paragraphs (a) and (b) of this section.

(a) Your agency may authorize/approve first class accommodations if any of the following apply:

(1) No coach-class accommodations are reasonably available. “Reasonably available” means available on an airline that is scheduled to leave within 24 hours of your proposed departure time, or scheduled to arrive within 24 hours of your proposed arrival time;

(2) When use of other than coach-class is necessary to accommodate a medical disability or other special need.

(i) A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

(A) A written statement by a competent medical authority stating that special accommodation is necessary;

(B) An approximate duration of the special accommodation; and

(C) A recommendation as to the suitable class of transportation accommodations based on the disability.

(ii) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(iii) If you are authorized under §301-13.3(a) of this Subchapter to have an attendant accompany you, your agency may also authorize the attendant to use other than coach-class accommodations if you require the attendant's services en route;

(3) When exceptional security circumstances require other than coach-class airline accommodations. Exceptional security circumstances are determined by your agency and should

only be authorized up to the minimum other than coach-class accommodation necessary. These circumstances include, but are not limited to:

- (i) Use of coach-class accommodations would endanger your life or Government property;
- (ii) You are an agent on protective detail and you are accompanying an individual authorized to use other than coach-class accommodations; or
- (iii) You are a courier or control officer accompanying controlled pouches or packages;
- (4) When required because of agency mission, consistent with your agency's internal procedures pursuant to §301-70.102(i).

(b) Your agency may authorize/approve business-class accommodations if any of the following apply:

(1) When use of other than coach-class is necessary to accommodate a medical disability or other special need.

(i) A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

(A) A written statement by a competent medical authority stating that special accommodation is necessary;

(B) An approximate duration of the special accommodation; and

(C) A recommendation as to the suitable class of transportation accommodations based on the disability.

(ii) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(iii) If you are authorized under §301-13.3(a) of this Subchapter to have an attendant accompany you, your agency may also authorize the attendant to use other than coach-class accommodations if you require the attendant's services en route;

(2) When exceptional security circumstances require other than coach-class airline accommodations. Exceptional security circumstances are determined by your agency and should only be authorized to the minimum other than coach-class accommodation necessary to meet the agency's mission. These circumstances include, but are not limited to:

(i) Use of coach-class accommodations would endanger your life or Government property;

(ii) You are an agent on protective detail and you are accompanying an individual authorized to use other than coach-class accommodations; or

(iii) You are a courier or control officer accompanying controlled pouches or packages;

(3) Coach-class accommodations on an authorized/approved foreign air carrier do not provide adequate sanitation or health standards;

(4) Regularly scheduled flights between origin/destination points (including connecting points) provide only other than coach-class accommodations and you certify such on your voucher;

(5) Your transportation costs are paid in full through agency acceptance of payment from a non-Federal source in accordance with Chapter 304 of this Title;

(6) Where the origin and/or destination are OCONUS, and the scheduled flight time, including stopovers and change of planes, is in excess of 14 hours, in accordance with §301-10.125;

(7) The use results in an overall cost savings to the Government by avoiding additional subsistence costs, overtime, or lost productive time while awaiting coach-class accommodations;

(8) No space is available in coach-class accommodations in time to accomplish the mission, which is urgent and cannot be postponed; or

(9) When required because of agency mission, consistent with your agency's internal procedures pursuant to §301-70.102(i).

Note 1 to §301-10.123: You may upgrade to other than coach-class accommodations at your personal expense, including through redemption of frequent flyer benefits.

Note 2 to §301-10.123: Blanket authorization of other than coach-class transportation accommodations is prohibited and shall be authorized on an individual trip-by-trip basis, unless the traveler has an up-to-date documented disability or special need.

#### **§301-10.124 What are coach-class Seating Upgrade Programs?**

Sometimes these programs are called “Coach Elite,” “Coach Plus,” “Preferred Coach” or some other identifier. Under these airline programs, a passenger may obtain for a fee a more desirable seat choice within the coach-class cabin. These airline upgrade or preferred seat choices are generally available for an annual fee, at an airport kiosk or gate or as a frequent flier perk. These coach upgrade options are not considered a new or higher class of accommodation since the seating is still in the coach cabin. However, the use of these upgraded/preferred coach seating options is generally a traveler's personal choice and therefore is at the traveler's personal expense. An agency travel authorization approving official or his/her designee (e.g., supervisor of the traveler) may authorize and reimburse the additional seat choice fee according to internal agency policy (see 301-70.102(k)).

#### **§301-10.125 When may I use the 14-hour rule to travel other than coach-class (see §301-10.123(b)(6))?**

(a) You may use the 14-hour rule to travel via other than coach-class when:

(1) The origin and/or destination are OCONUS; and

(2) The scheduled flight time, including non-overnight stopovers and change of planes, is in excess of 14 hours; and

(3) You are required to report to duty the following day or sooner.

(b) Scheduled flight time is the flight time between the originating departure point and the ultimate arrival point including scheduled non-overnight time spent at airports during plane changes. Scheduled non-overnight time does not include time spent at the originating or ultimate arrival airports.

(c) If other than coach-class accommodation is authorized based on the 14-hour rule then you will not be eligible for a rest stop en route or a rest period upon arrival at your duty site, in accordance with internal agency procedures pursuant to §301-70.102(j).

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#### **§301-13.1 What is the policy for paying additional travel expenses incurred by an employee with a special need?**

To provide reasonable accommodations to an employee with a special need by paying for additional travel expenses incurred.

#### **§301-13.2 Under what conditions will my agency pay for my additional travel expense(s) under this part?**

When an additional travel expense is necessary to accommodate a special physical need which is either:

- (a) Clearly visible and discernible; or
- (b) Substantiated in writing by a competent medical authority.

### **§301-13.3 What additional travel expenses may my agency pay under this part?**

Your agency approving official may pay for any expenses deemed necessary by your agency to accommodate an employee with a special need including, but not limited to, the following expenses:

- (a) Transportation and per diem expenses incurred by a family member or other attendant who must travel with you to make the trip possible;
- (b) Specialized transportation to, from, and/or at the TDY duty location;
- (c) Specialized services provided by a common carrier to accommodate your special need;
- (d) Costs for handling your baggage that are a direct result of your special need;
- (e) Renting and/or transporting a wheelchair;
- (f) Other than coach-class accommodations to accommodate your special need, under subpart B of part 301-10 of this subchapter; and
- (g) Services of an attendant, when necessary, to accommodate your special need.

Note to §301-13.3(g): For limits on the amount that may be paid to an attendant, other than travel expenses, see 5 U.S.C. 3102 and guidance at [http://www.opm.gov/disability/mngr\\_6-01-B.asp](http://www.opm.gov/disability/mngr_6-01-B.asp).

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### **§301-53.3 How may I use promotional materials and frequent traveler benefits?**

Promotional materials and frequent traveler benefits may be used as follows:

- (a) You may use frequent traveler benefits earned on official travel to obtain travel services for a subsequent official travel assignment(s); however, you may also retain such benefits for your personal use, including upgrading to a higher class of service while on official travel.
- (b) If you are offered such benefits as a result of your role as a conference planner or as a planner for other group travel, you may not retain such benefits for your personal use (see §301-53.2 of this chapter). Rather, you may only accept such benefits on behalf of the Federal Government. Such accepted benefits may only be used for official Government business.

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### **§301-70.400 How should we authorize and administer the payment of additional travel expenses for an employee with a disability or special need?**

You should authorize and administer the payment to reasonably accommodate employee(s) with disabilities in accordance with the Rehabilitation Act of 1973, as amended (29 U.S.C. 701-7961) and 5 U.S.C. 3102 and part 301-13 of this chapter. An employee with a special need should be treated the same as an employee with a disability. You must determine that additional travel expenses are necessary to accommodate the employee's needs.

### **§300-3 Glossary of Terms**

*Special needs* (also see *Employee with a disability*)—Physical characteristics of a traveler not necessarily defined under disability. Such physical characteristics could include, but are not limited to, the weight or height of the traveler.



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*Employee with a disability* (also see *Special Needs*)—

- (a) An employee who has a disability as defined in paragraph (b) of this definition and is otherwise generally covered under the Rehabilitation Act of 1973, as amended (29 U.S.C. 701-797b).
- (b) “Disability,” with respect to an employee, means:
  - (1) Having a physical or mental impairment that substantially limits one or more major life Activities;
  - (2) Having a record of such an impairment;
  - (3) Being regarded as having such an impairment; but
  - (4) Does not include an individual who is currently engaging in the illegal use of drugs, when the covered entity acts on the basis of such use.
- (c) “Physical or mental impairment” means:
  - (1) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organ, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or
  - (2) Any mental or psychological disorder (e.g., mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities).
  - (3) The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and orthopedic, visual, speech, and hearing impairments.
- (d) “Major life activities” means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
- (e) “Has a record of such an impairment” means the employee has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities.
- (f) “Is regarded as having such an impairment” means the employee has:
  - (1) A physical or mental impairment that does not substantially limit major life activities, but the impairment is treated by the Agency as constituting such a limitation;
  - (2) A physical or mental impairment that substantially limits major life activities as a result of the attitudes of others toward such an impairment; or
  - (3) None of the impairments defined under “physical or mental impairment,” but is treated by the employing agency as having a substantially limiting impairment.